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9 **UNITED STATES DISTRICT COURT**

10 **FOR THE DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA;

CASE NO.: 2:22-mj-00844-DJA

12 Plaintiff,

14 vs.

15 RANDY JOE BRUMM,

ORDER TO AMEND AND  
CLOSE CASE

16 Defendant.

18 IT IS HEREBY STIPULATED and AGREED, by and between RANDY JOE BRUMM,  
19 by and through his counsel, TONY L. ABBATANGELO, ESQ., United State Attorney, and by  
20 IMANI DIXON, Assistant United States Attorney, counsel for the United States of America, that  
21 Count One of the Complaint be amended to Reckless Driving, in violation of Title 36 C.F.R. §  
22 4.2 and N.R.S. 484B.653 and that the above-captioned matter be closed.  
23

24 This stipulation is entered into for the following reasons:

- 25
- 26 1. On or about July 26, 2023 Defendant entered in a Petty Offense Plea Agreement with the  
27 United States in which he agreed to plead guilty to the Count One of the Complaint,  
28

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Operating a Motor Vehicle while Under the Influence of Alcohol, in violation of Title 36 C.F.R. § 4.23(a)(1). *See* Doc No. 11.

2. The parties agreed to recommend that defendant be sentenced to one year of unsupervised probation with the following special conditions: (i) pay a \$500.00 fine and a mandatory \$10 penalty assessment; (ii) attend and complete the Lower Court Counseling's (1) DUI course and (2) Victim Impact Panel; (iii) complete an eight (8) hour online alcohol awareness course; (iv) not violate any local, state, or federal laws for a period of six (6) months.
3. The parties further agreed that should the Defendant successfully complete condition, i, ii, iii, and iv within the first six months of his unsupervised probation, and has not violated any local, state, or federal laws during the first six months of his unsupervised probation, the parties shall jointly move to amend Count One to a charge of Reckless Driving, a violation of Title 36 C.F.R. § 4.2 and N.R.S. 484B.653. The Defendant will plead guilty to the amended Count One, and the parties will jointly agree that the original sentence be applied to the Reckless Driving conviction.
4. On July 26, 2023 this Court sentenced defendant pursuant to parties' plea agreement. *See* Doc No. 11.
5. Since commencing his term of unsupervised probation, defendant has successfully completed conditions (i), (ii), (iii), and (iv).
6. The Defendant hereby moves, pursuant to the plea agreement, to withdraw his guilty plea to Count One for Operating a Motor Vehicle while Under the Influence of Alcohol, in violation of Title 36 C.F.R. §4.23(a)(1).

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1 7. The government hereby moves, pursuant to the plea agreement to amend Count One of  
2 the Complaint to a charge of Reckless Driving, a violation of Title 36 C.F.R. § 4.2 and  
3 N.R.S. 484B.653.

4 8. Defendant hereby pleads guilty to the amended Count One of the Complaint.

5 9. The parties jointly request that the original sentence be applied to the Reckless Driving  
6 conviction and that the above-captioned matter be closed.  
7

8 DATED this 10 day of January, 2024.

9 Respectfully submitted,

10  
11 **PAUL PADDA LAW, PLLC**

**JASON M. FRIERSON**  
**UNITED STATES ATTORNEY**

12  
13 By: /s/: Tony L. Abbatangelo  
14 TONY L. ABBATANGELO, ESQ.  
15 *Attorneys for Defendant*  
16 *Randy Joe Brumm*

By: /s/ Imani Dixon  
IMANI DIXON, ESQ.  
*Assistant United States Attorney*

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA;

Plaintiff,

vs.

RANDY JOE BRUMM,

Defendant.

CASE NO.: 2:22-mj-00844-DJA

**ORDER TO AMEND AND CLOSE THE  
CASE**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Defendant RANDY JOE BRUMM has successfully completed the conditions of his sentencing.
2. Defendant pleads guilty to the amended Count One, to the charge of Reckless Driving, a violation of Title 36 CFR § 4.2 and N.R.S. 484B.653.

**ORDER**

IT IS HEREBY ORDERED that the original sentence be applied to the amended Count One of the Complaint.

IT IS FURTHER ORDERED that the parties move the Court in the above-captioned matter case be closed, as all requirements have been completed.

Dated: 1/11/2024



DANIEL J. ALBREGTS  
United States Magistrate Judge